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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/989,202	11/21/2001	Robert Newsteder	AID-3.2.001/4203	9308
26345	7590	12/06/2004	EXAMINER	
GIBBONS, DEL DEO, DOLAN, GRIFFINGER & VECCHIONE 1 RIVERFRONT PLAZA NEWARK, NJ 07102-5497			LE, UYEN T	
			ART UNIT	PAPER NUMBER
			2163	

DATE MAILED: 12/06/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/989,202

Applicant(s)

NEWSTEDER, ROBERT

Examiner

Uyen T. Le

Art Unit

2163

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 May 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. Applicant's amendment to the abstract is acknowledged. Consequently, objection to the specification is withdrawn.

2. Applicant's arguments regarding claims 1-22 have been fully considered but they are not persuasive.

Applicant argues that both Kwak and Hyodo lack a search capability for a user to "frame a search request for a toll-free telephone number or other company information based on information taken from advertising for a product or service".

In response, claims 1, 9, 17, 20 do not require the user to "frame a search request for a toll-free telephone number or other company information based on information taken from advertising for a product or service". Claims 1, 9, 17, 20 merely recite "may frame a search request for a toll-free telephone number or the other company information based on information taken from advertising for a product or service". Thus the claim language is broad enough to be interpreted by the examiner as indicated in the previous Office Action.

Applicant presents no further argument. For all the reasons stated above, rejection to all claims is maintained using the references of record and herein repeated.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

Art Unit: 2163

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kwak (US 2002/0198933), in view of Hyodo (US 5,937,390).

Regarding claim 1, the claimed system merely reads on the fact that it is well known in the art as shown by Kwak to use an Internet-based system for company to enter information for advertisement purpose and for users to search for company information (see 0037). Clearly the web site for a company to enter information is configured with a graphic user interface different from the web site for a user to search that information. Furthermore, it is well known in the art for a company to have a toll free telephone number as shown by Hyodo (see the abstract). Therefore, it would have been obvious to one of ordinary skill in the art to combine the teachings of Kwak and Hyodo in order to attract customers by providing a toll free number for customers to call.

Claim 9 merely differs from claim 1 by reciting a telephone-based directory system instead of an Internet-based directory system. Although Kwak does not specifically show a voice caller interface, it is well known in the art for customers to call to inquire about a company product or to place an order as shown by Hyodo (see Figure 1). Thus, it would have been obvious to one of ordinary skill in the art to combine the teachings of Kwak and Hyodo in order to allow users to place an order using the convenience of their telephone lines.

Regarding claims 2, 10, since the system is Internet-based or telephone-based, it is likely to be accessed by users of different taste, equipment and in different areas.

Therefore, it would have been obvious to one of ordinary skill in the art to include configuring the database to correlate the toll free number and other company information relating to an advertising media format, date, identity of advertising publications, air time, station and geographic location as claimed.

Regarding claims 3, 11, Kwak shows that the claimed media formats are customary in advertising (see 0034).

Regarding claims 4, 12, since the whole purpose of advertising for a company is to attract visitors and customers, it would have been obvious to one of ordinary skill in the art to configure the first user interface at the first web site as claimed in order for a company to document the company and its products in the database to attract customers.

Regarding claims 5-7, 13-15, since the company advertisement is in different formats, clearly the user interface at the second web site has to be configured as claimed in order to allow a search request in the proper format.

Regarding claims 8, 16, Hyodo discloses entering a company name (see column 4, lines 1-37).

Claims 17, 20 correspond respectively to the method of claims 1, 9, thus are rejected for the same reasons stated in claims 1, 9 above.

Regarding claims 18, 21, since it is well known in the art to broadcast company advertisements as shown by Kwak (see 0034), it would have been obvious to one of ordinary skill in the art to include allowing searching by entering the approximate air time and station of the advertising as claimed.

Regarding claims 19, 22, since it is well known in the art to advertise by publication as shown by Kwak (see 0034), it would have been obvious to one of ordinary skill in the art to include allowing searching by providing the name of the publication as claimed.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Uyen T. Le whose telephone number is 571-272-4021. The examiner can normally be reached on M-F 7:00-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

5. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

26 November 2004



**UYEN LE
PRIMARY EXAMINER**